

UNITED STATES DISTRICT COURT
for the
Southern District of New York

United States of America
v.

Ricky Patrick Hester

Defendant

Case No. 13 MJ 2925

ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate federal, state, or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if it is authorized by 42 U.S.C. § 14135a.
- (3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.
- (4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must appear at: _____

Place

on _____

Date and Time

If blank, defendant will be notified of next appearance.

- (5) The defendant must sign an Appearance Bond, if ordered.

ADDITIONAL CONDITIONS OF RELEASE

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

- () (6) The defendant is placed in the custody of:

Person or organization _____

Address (only if above is an organization) _____

City and state _____

Tel. No. _____

who agrees to (a) supervise the defendant, (b) use every effort to assure the defendant's appearance at all court proceedings, and (c) notify the court immediately if the defendant violates a condition of release or is no longer in the custodian's custody.

Signed: _____

Custodian

Date

- (X) (7) The defendant must:

- (X) (a) submit to supervision by and report for supervision to the Pretrial Services, supervision to be strict, telephone number _____, no later than _____.

- () (b) continue or actively seek employment.

- () (c) continue or start an education program.

- (X) (d) surrender any passport to: the Government by tomorrow.

- (X) (e) not obtain a passport or other international travel document.

- (X) (f) abide by the following restrictions on personal association, residence, or travel: travel restricted to the Southern and Eastern Districts of New York and to Indiana, and the locations in between for purposes of travel to the Court.

- () (g) avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution, including: _____

- () (h) get medical or psychiatric treatment: _____

- () (i) return to custody each _____ at _____ o'clock after being released at _____ o'clock for employment, schooling, or the following purposes: _____

- () (j) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary.

- (X) (k) not possess a firearm, destructive device, or other weapon.

- () (l) not use alcohol () at all () excessively.

- () (m) not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

- () (n) submit to testing for a prohibited substance if required by the pretrial services office or supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.

- () (o) participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer.

- (X) (p) participate in one of the following location restriction programs and comply with its requirements as directed.

- () (i) **Curfew.** You are restricted to your residence every day () from _____ to _____, or () as directed by the pretrial services office or supervising officer; or

- (X) (ii) **Home Detention.** You are restricted to your residence at all times except for ~~employment; education~~; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities approved in advance by the pretrial services office or supervising officer; or

- () (iii) **Home Incarceration.** You are restricted to 24-hour-a-day lock-down at your residence except for medical necessities and court appearances or other activities specifically approved by the court.

- (X) (q) ~~submit to location~~ electronic monitoring as directed by the pretrial services office or supervising officer and comply with all of the program requirements and instructions provided.

- () You must pay all or part of the cost of the program based on your ability to pay as determined by the pretrial services office or supervising officer.

- () (r) report as soon as possible, to the pretrial services office or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.

- (X) (s) Defendant is to check in via phone with Pretrial Service Officer in NY and report to Pretrial Services tomorrow morning for further instructions regarding electronic monitoring.

- (x) (t) submit to mental health counseling/treatment as determined by Pretrial Services.

- (x) (u) surrender all devices that the defendant currently possesses that are capable of Internet access, including cell phones.

- (x) (v) prohibited from possession or use of devices that communicate data via modern or dedicated connection and remove all computers from the home--refrain from Internet access, including at place of employment and through any type of device--refrain from access to or possessing pornographic material.

- (x) (w) see attachment A.

Attachment A.

(x) prohibited from any form of unsupervised contact with minors, including telephonic or on-line communication, except his siblings.

(x) Refrain from loitering near schoolyards, playgrounds, or other places frequented by minors.

(x) Refrain from using any electronic equipment, including but not limited to cell phones and video or still cameras, to record, store, or view images or photos of minors

(x) Report on regular basis to Pretrial Services, as determined by Pretrial Services.

(x) firearms are to be removed from Defendant's mother's home.

(x) Submit to a urinalysis upon release as directed and if the results return positive for an illicit substance, then Defendant will be subject to drug testing and treatment as directed by Pretrial Services.

(x) prohibited from obtaining travel documents for travel outside of EDNY, SDNY, and Indiana.

(x) defendant is to go straight home upon return to Indiana from New York, as soon as reasonably possible.

(x) no computer/online access